

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Request from the Kenton County Board of Education for waiver of 704 KAR 3:340, Commonwealth Diploma Program, Section 2(3)(a) for one student

Applicable Statute or Regulation:

KRS 156.160 and 704 KAR 3:340

Action Question:

Should the Kentucky Board of Education (KBE) grant the Kenton County Board of Education's request for a waiver of 704 KAR 3:340, Section 2 (3)(a) for one student?

History/Background:

Existing Policy. KRS 156.160(2)(a) states: "At the request of a local board of education or a school council, a local school district superintendent shall request that the Kentucky Board of Education waive any administrative regulation promulgated by that board. Beginning in the 1996-97 school year, a request for waiver of any administrative regulation shall be submitted to the Kentucky Board of Education in writing with appropriate justification for the waiver."

The Kenton County Board of Education is seeking a waiver of the requirement found in 704 KAR 3:340, Section 2 (3)(a) that states: "Successful completion (i.e., receiving a grade or the equivalent of "C" or better) of at least four (4) courses, which contain essential content as described in the Advanced Placement (AP) Program Course Description booklets of the College Entrance Examination Board and which include:

1. English - one (1) course;
2. Science or mathematics - one (1) course (selected from biology, chemistry, or physics, or mathematics);
3. Foreign language - one (1) course (selected from French, German, Latin, or Spanish); and
4. One (1) additional AP course (selected from English, science, foreign language, history, computer science, political science, music, or art);"

The district maintains that the student has met the rigorous intent of the regulation but through a different path and should be eligible for the Commonwealth Diploma. In the attached letter from Superintendent Tim Hanner, it says:

“In order to qualify for a Commonwealth Diploma a graduate of Scott High School must earn 28 credits and successfully complete 4 AP classes which include Language, Science or Math, World Language, and an elective AP class. Alexis has not taken the required AP classes; however, she has earned 30 hours of college credit from Thomas More College (GPA 3.8) and NKU (GPA 4.0) while a student at Scott High School. These classes include: Introduction to Japanese, Japanese (part II), English Literature, Writing and Research, Survey of US History to 1877, Introduction to Sociology, Intermediate Japanese, Topics in World Religion, Public Speaking, American Politics, and Writing Intensive Topical Literature. These college level courses which Alexis has completed with grades of B and above are equivalent in rigor and demand to the four required AP courses needed for a Commonwealth Diploma.”

Staff Recommendation(s) and Rationale(s):

Staff recommends that the KBE approve Kenton County’s request for a waiver of 704 KAR 3:340, Section 2(3)(a) for Alexis Peace to be eligible to receive the Commonwealth Diploma. Ms. Peace has met the rigor required by the regulation through a different path and has demonstrated competence on 30 hours of college credit.

Impact on Getting to Proficiency:

Waivers such as this one provide flexibility for students as they strive to reach proficiency and beyond.

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Commissioner of Education

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